

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

LIBERTY MUTUAL INSURANCE COMPANY,	)	
	)	CIVIL ACTION
	)	NO. 1:04-CV-10654-DPW
Plaintiff,	)	NO. 1:04-CV-10659-DPW
	)	NO. 1:04-CV-10662-DPW
v.	)	
	)	
THE BLACK & DECKER CORPORATION,	)	
BLACK & DECKER, INC., BLACK & DECKER	)	
(U.S.) INC., EMHART CORPORATION, and	)	
EMHART INDUSTRIES, INC.,	)	
	)	
Defendants.	)	

**NOTICE OF FILING WITH CLERK'S OFFICE**

Notice is hereby given that the Appendix to Description of Posture of BROS, Huth and Berks/Douglassville Claim with Further Authority ("Appendix") has been manually filed with the Court and is available in paper form only. The appendix is in two volumes and contains the following material:

**VOLUME I**

1. Further Memorandum in Support of Black & Decker Motion for Summary Judgment with Respect to Black & Decker Sites (BROS, Douglassville and Huth), originally filed on November 13, 1998
2. Black & Decker's Reply Memorandum Regarding Maryland and Connecticut Sites, originally filed on December 4, 1998
3. Black & Decker's Supplemental Submission Regarding December 8, 1998 Hearing, originally filed on December 9, 1998
4. Transcript of the hearing of August 27, 2003
5. Memorandum Regarding Liberty Mutual's Miscitation and Misapplication of Alcolac in Connection with BROS Site, originally filed on September 12, 2003

6. Memorandum Regarding Duty to Defend Under 1970-1973 Umbrella Excess Policy, originally filed on September 12, 2003
7. Supplemental Submission in Response to Supplemental Brief of Liberty Mutual Regarding Duty to Defend BROS Claim Under Liberty Mutual's Excess Umbrella Policy, originally filed on September 17, 2003

VOLUME II

1. Appendix to Further Memorandum in Support of Black & Decker Motion for Summary Judgment with Respect to Black & Decker Sites (BROS, Douglassville and Huth) (excerpts from Volumes I, XIII, XXI, XXIII, XXVIII, XXIX, XXX, XXXI, XXXII, XXXIII, XCIII and XCVIII of Appendix to Defendants' Motion for Partial Summary Judgment), originally filed on November 13, 1998
2. Appendix to Reply Memorandum Regarding Maryland and Connecticut Sites (pages RApp-001 through RApp-036), *originally filed on December 4, 1998*

The original documents are maintained in the case file in the Clerk's Office.

May 17, 2004

/s/ Jack R. Pirozzolo

Jack R. Pirozzolo BBO# 400400  
jpirozzolo@wpmlaw.com  
Richard L. Binder BBO# 043240  
Judith S. Ziss BBO# 544937  
Willcox, Pirozzolo & McCarthy  
Professional Corporation  
50 Federal Street  
Boston, Massachusetts 02110  
(617) 482-5470

Attorneys for defendants